

**STATE OF NORTH DAKOTA**  
**BEFORE THE COMMISSIONER OF INSURANCE**

<b>In the Matter of</b>	)	
	)	
<b>Professional Liability Insurance</b>	)	<b>CEASE AND DESIST ORDER</b>
<b>Company, Ltd., Medical Risk Associates,</b>	)	<b>AND NOTICE OF</b>
<b>RPG, Ltd., Medical Risk Associates,</b>	)	<b>OPPORTUNITY FOR HEARING</b>
<b>RPG, Inc., Unimed, Ignatius A.</b>	)	
<b>Deblasi, and Other Unknown Persons,</b>	)	<b>CASE NO. CO-04-147</b>
	)	
<b>Respondents.</b>	)	

**TO: Professional Liability Insurance Company, Ltd., and its CEO, Mr. William A. Ledee III, 10 Queens Street, Hamilton, HM 11, Bermuda**

**Medical Risk Associates, RPG, Ltd., and Medical Risk Associates, RPG, Inc., 45 Par-La-Ville Road, Suite 378, Hamilton, HM 11, Bermuda**

**Unimed, 5920 Roswell Road, N.E. Building, 107, Suite 332, Atlanta, GA 30328**  
**Unimed, 6025 Sandy Springs Circle, Suite 312, Atlanta, GA 30328**

**Ignatius A. Deblasi, 3015 Four Oaks Drive, Atlanta, GA 30360**

Commissioner of Insurance Jim Poolman (hereinafter “Commissioner”) has determined as follows:

1. N.D. Cent. Code § 26.1-01-03.1 authorizes the Commissioner to issue an Order to cease and desist when it appears that any person or business entity is or has engaged in an act or practice which violates or may lead to a violation of the North Dakota Century Code.
2. N.D. Cent. Code § 26.1-02-05 prohibits the transaction of insurance business in North Dakota without a Certificate of Authority from the North Dakota Insurance Commissioner.

3. N.D. Cent. Code § 26.1-02-06 states:

Any of the following acts in this state effected by mail or otherwise by or on behalf of an unauthorized insurance company constitutes the transaction of an insurance business in this state:

1. Making or proposing to make, as an insurance company, an insurance contract.

...

3. Taking or receiving of any application for insurance.
4. Receiving or collecting any premium, commission, membership fees, assessments, dues, or other consideration for any insurance or any part thereof.
5. Issuing or delivering an insurance contract to residents of this state or to persons authorized to do business in this state.
6. Directly or indirectly acting as an insurance producer for or otherwise representing or aiding on behalf of another, any person or insurance company in the solicitation, negotiation, procurement, or effectuation of insurance or renewals thereof or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or fixing of rates, or investigation or adjustment of claims or losses, or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting a person or insurance company in the transaction of insurance with respect to subjects of insurance resident, located, or to be performed, in this state. This subsection does not prohibit full-time salaried employees of a corporate insured from acting in the capacity of an insurance manager or buyer in placing insurance on behalf of the employer.
7. Transacting any kind of insurance business specifically recognized as transacting an insurance business within the meaning of the statutes relating to insurance.
8. Transacting or proposing to transact any insurance business in substance equivalent to any of the foregoing in a manner designed to evade these statutes.

4. N.D. Cent. Code Chapter 26.1-26 governs the qualifications and procedures for the

licensing of insurance producers within the State of North Dakota.

5. N.D. Cent. Code § 26.1-26-02 defines “insurance producer” as a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance.

6. N.D. Cent. Code § 26.1-26-03 states:

No person may act as or hold oneself out to be an insurance producer, insurance consultant, or surplus lines insurance producer unless licensed under this chapter. A person may not sell, solicit, or negotiate insurance in this state for any class of insurance unless the person is licensed for that line of authority in accordance with this chapter. Any person willfully violating this section is guilty of a class C felony.

7. N.D. Cent. Code Chapter 26.1-46 sets forth the requirements for risk retention groups and purchasing groups seeking to do business in this state.

8. Professional Liability Insurance Company, Ltd. (PLIC), Medical Risk Associates, RPG, Ltd., Medical Risk Associates, RPG, Inc., Unimed, and Ignatius Deblasi, and Other Unknown Persons (hereinafter “Respondents”) are not licensed, authorized, or registered as an insurance company, insurance producer, risk retention group, or purchasing group pursuant to N.D. Cent. Code § 26.1-02-05 and Chapters 26.1-26 and 26.1-46 relating to the licensing and registering of insurance producers, risk retention groups, and purchasing groups in the State of North Dakota.

9. Respondents directly and indirectly have acted or proposed to act as insurance producers in the solicitation, negotiation, procurement, or effectuation of insurance without the required licenses or Certificates of Authority. More specifically, the Respondents solicited and issued medical malpractice insurance policies during at least the 2003-2004 calendar years to Red River Women’s Clinic, Fargo, North Dakota, without the required licenses or Certificates of Authority and such conduct constitutes violations of N.D. Cent. Code §§ 26.1-02-05, 26.1-02-06, and 26.1-26-03 or the requirements of Chapter 26.1-46.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to N.D. Cent. Code § 26.1-01-

03.1 that Respondents, whether acting in the State of North Dakota as an insurer, a risk retention group, a purchasing group, an insurance producer, or otherwise engaging in the business of insurance, either directly or indirectly through named and unnamed persons, entities, agents, or otherwise, shall immediately **CEASE AND DESIST** from soliciting, transacting, or otherwise engaging in the business of insurance with residents of the State of North Dakota, including but not limited to acting or holding itself out to be a medical malpractice insurer in this state.

IT IS FURTHER ORDERED pursuant to N.D. Cent. Code § 26.1-01-03.1 that Respondents may make a written request for a hearing on this matter within 30 days of the date of this Order.

If the Respondent fails to request a hearing in writing within 30 days after being served with a copy of this Cease and Desist Order, the Commissioner shall make the Cease and Desist Order permanent, as the facts require.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

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Jim Poolman  
Commissioner  
N.D. Insurance Department  
600 East Boulevard Avenue  
Bismarck, ND 58505  
(701) 328-2440